



APPLICATION NUMBER 10/620/827

"CAN-TOP PRODUCT STORAGE AND RELATED METHODS OF STORING PRODUCTS"

FILING DATE 07/16/03

INVENTOR KENNETH MCCLINTOCK

FEE PAID TO USPTO FOR SIX MONTH DELAYED RESPONSE TO EXAMINER'S FIRST REJECTION

\$510.00 ENCLOSED

RESPONSE TO OFFICE ACTION DATED 04/26/2005 (NON-FINAL REJECTION)

RESPECTFULLY TO THE EXAMINER'S MISINFORMED JUDGEMENT, THE INVENTOR INSISTS THAT THE USPTO'S IMAGING DEPARTMENT FAILED TO TRANSFER MCCLINTOCK'S DOCUMENTS INTO THE USPTO'S DATA BASE. MCCLINTOCK'S IMAGES WOULD HAVE LED EXAMINER TO SEE NO PARALLELS WITH THE PRIOR ART OF GRUEL, FALIA, FALKENBERG, OR NAVA. THE ONLY LIKE ART TO BE FOUND AGAINST MCCLINTOCK'S CLAIM IS FOUND IN SOME OF THE VERBAGE CONTAINED IN THE PRIOR CLAIMS THE EXAMINER HAS FOUND.

COMPLIANCE WITH OBJECTED LACK OF DRAWINGS ENCLOSED (ENCLOSED PHOTOS ARE THE SAME AS TURNED IN WITH CLAIM ON JULY 16, 2003) EACH IS LISTED WITH THE URL NAME SUPPORTING INVENTOR'S CLAIMS. EXAMPLES: CANTOPCASH.COM SUPPORTS STORAGE OF CURRENCY UNDER THE HYGENIC SEAL WHILE CANTOPCOLLECTIBLE.COM SUPPORTS A SPORTS FIGURE CARD UNDER THE LABEL ETC.

INVENTOR HAS ALSO SENT IN SUPPORTIVE ART WITH RESPONSE

REJECTIONS TO CLAIM #S 1, 7, 11, AND 17 (NAVA) INVENTOR PROTESTS THAT COMPARISON AND PARALLEL TO NAVA IS DUE TO EXAMINER'S LACK OF IMAGES TO ACCOMPANY MCCLINTOCK'S CLAIM. THESE REJECTIONS ARE BASED ON NAVA'S ORIGINAL THOUGHT OF AN ENCLOSED DIGITAL DISK STORAGE IN A SOFT DRINK CUP. THE INVENTOR SUBMITS THAT NAVA HAD NO DESIGN PLANS INVOLVING ALUMINUM BEVERAGE CAN STORAGE BETWEEN A PROTECTIVE CAN TOP LABEL AND THE OPENABLE ORIFICE "POP-TOP" OF AN ALUMINUM BEVERAGE CAN. INVENTOR RESPECTFULLY ASKES THE EXAMINER TO NOTICE DRAWINGS CLAIMED BY NAVA ENCLOSED. INVENTOR HAS SEEN AND HANDLED NAVA'S DEVICE AND SHOWED IT TO MANY IN OUR INDUSTRY. NONE HAS DRAWN ANY CLOSE ASSOCIATION TO CLAIM #10/620/827. NAVA EXPLAINS A SANDWICH OF TWO P.E.T. MOLDED PIECES INTOMBING A DISK/CD, THEN SNAPPING TO A CUP OR OTHER PACKAGE. THIS MANDATES A TOTAL OF THREE PIECES SNAPPING TOGETHER BEFORE HIS DEVICE CAN BE SNAPPED TO A PAPER OR PLASTIC DRINKING CUP.